

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

KPM ANALYTICS NORTH AMERICA
CORPORATION,

Plaintiff.

v.

Civil Action No. 21-10572-MRG

BLUE SUN SCIENTIFIC, LLC, THE
INNOVATIVE TECHNOLOGIES GROUP &
CO., LTD., ARNOLD EILERT, MICHELLE
GAJEWSKI, ROBERT GAJEWSKI,
RACHAEL GLENISTER, GREGORY
ISRAELSON, IRVIN LUCAS, AND PHILIP
OSSOWSKI,

Defendants.

**PLAINTIFF KPM ANALYTICS NORTH AMERICA CORPORATION’S MOTION FOR
FINDING OF WILLFUL AND MALICIOUS MISAPPRPRIATION OF PLAINTIFF’S
TRADE SECRETS BY DEFENDANTS AND FOR EXEMPLARY DAMAGES**

Plaintiff KPM Analytics North America Corporation (“KPM”) respectfully requests this Court enter an order finding that Defendants, Blue Sun Scientific, LLC, Irvin Lucas, Robert Gajewski, Arnold Eilert, and Rachael Glenister, willfully and maliciously misappropriated KPM’s trade secrets (Counts I and II of Plaintiff’s Verified Complaint, ECF. No. 1) and awarding exemplary damages and attorneys’ fees and costs. For the reasons set forth in the accompanying memorandum of law, KPM requests that the Court enter damages against the above listed Defendants in the following amounts:

Base for single damages	Compensatory Damages Amount	Exemplary Damages Amount	Total
Jury finding of misappropriation of trade secrets against Blue Sun Scientific, LLC	\$1,500,000	\$3,000,000	\$4,500,000
Jury finding of misappropriation of trade secrets against Arnold Eilert	\$2,500	\$5,000	\$7,500
Jury finding of misappropriation of trade secrets against Robert Gajewski	\$15,000	\$30,000	\$45,000
Jury finding of misappropriation of trade secrets against Rachael Glenister	\$10,000	\$20,000	\$30,000
Jury finding of misappropriation of trade secrets against Irvin Lucas	\$20,000	\$40,000	\$60,000
Attorneys' Fees and Costs	TBD		TBD
Total			\$4,642,500.00 plus attorneys' fees and costs

WHEREFORE, Plaintiff, KPM Analytics North America, Inc. requests this Court grant its motion for finding willful and malicious misappropriation of trade secrets by Defendants, Blue Sun Scientific, LLC, Irvin Lucas, Robert Gajewski, Arnold Eilert, and Rachael Glenister for exemplary damages.

REQUEST FOR ORAL ARGUMENT OR HEARING

Pursuant to Local Rule 7.1(d), KPM respectfully requests that the Court schedule an oral argument or hearing on KPM's Motion as soon as the court deems appropriate.

Date: June 21, 2023

Respectfully submitted,

KPM Analytics North America Corporation,

By its attorneys,

/s/ Paige K. Zacharakis

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LOCAL RULE 7.1 CERTIFICATION

The undersigned hereby certifies that the parties met and conferred on June 21, 2023 with respect to the relief sought in this Motion and Defendants oppose KPM's Motion in its entirety.

/s/ Paige K. Zacharakis

Paige K. Zacharakis

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of June 2023, a true and correct copy of the foregoing document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Paige K. Zacharakis

Paige K. Zacharakis